

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Dec 19, 2022**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

In Re:

LLS AMERICA, LLC,

Debtor,

BRUCE P. KRIEGMAN, solely in his  
capacity as the court-appointed  
Chapter 11 Trustee for LLS America,  
LLC,

Plaintiff,

v.

DON KENNEDY,

Defendant.

NO: 2:12-CV-484-RMP

Bankruptcy Court No. 09-06194

Adv. Proc. No. 11-80296

ORDER GRANTING APPLICATION  
TO EXTEND JUDGMENT

BEFORE THE COURT is Plaintiff's Motion ECF No. 60, and Declaration of Bruce P. Kriegman in Support of said Motion, ECF No. 61. No objection has been filed. Having reviewed the record and relevant law, the Court is fully informed.

1 On November 1, 2012, the Court entered a Default Judgment, ECF No. 26,  
2 and Judgment in a Civil Action in favor of the Trustee against Defendant, ECF No.  
3 39. The total judgment was CAD \$44,437.33 and USD \$6,478.66, plus USD  
4 \$250.00, with interest equal to the weekly average of one-year constant maturity  
5 (nominal) treasury yield as published by the Federal Reserve System. ECF No. 39.  
6 The ten-year period for execution upon the judgment expired on November 1, 2022.  
7 Fed. R. Civ. P. 69; RCW 6.17.020(1).

8 Plaintiff requests that the judgment be extended for an additional ten (10)  
9 years, pursuant to Fed. R. Civ. P. 69 and RCW 6.17.020(3). ECF No. 60 at 2. The  
10 judgment remains wholly unsatisfied. ECF No. 61 at 3. The Court finds good cause  
11 exists to extend the judgment for an additional 10 years.

12 According, **IT IS HEREBY ORDERED:**

13 **1.** Plaintiff's Motion to Alter Judgment by Extending Judgment, **ECF No. 60**, is  
14 **GRANTED.**

15 **2.** The Judgment previously entered in this matter, **ECF No. 39**, shall be  
16 **AMENDED** as follows:

17 **a.** The Judgment is extended for ten (10) years from November 1, 2022.

18 **b.** Interest will continue to accrue at the rate of the weekly average of  
19 one-year constant maturity (nominal) treasury yield as published by  
20 the Federal Reserve System.  
21

c. Pursuant to RCW 6.17.020(3), 4.64.030(2)(a), the following shall be included on the first page of the amended judgment:

SUMMARY OF EXTENDED JUDGMENT

Judgment Creditor: Plaintiff Bruce P. Kriegman solely in his capacity as the court-appointed Chapter 11 Trustee for LLS America, LLC and the Liquidating Trustee under the Liquidating Trust made pursuant to the Chapter 11 Trustee's and Official Committee of Unsecured Creditor's Second Modified Plan of Liquidation dated as of November 27, 2012

Attorney for Judgment Creditor: Witherspoon Kelley

Judgment Debtor: Don Kennedy

Original Amount of Judgment: \$44,437.33 CAD  
\$ 6,478.66 USD  
\$ 250.00 USD  
Interest under Judgment: \$ 916.95 USD  
(11/02/2012 – 10/14/2022)  
(.18% for 3,634 days)

Recoverable Costs – Application Fee: \$ 402.00 USD

New Total Judgment: \$44,437.33 CAD  
\$ 8,047.61 USD

Interest Rate: .18% per annum

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**IT IS SO ORDERED.** The District Court Clerk is directed to enter this Order and provide copies to counsel.

**DATED** December 19, 2022.

*s/ Rosanna Malouf Peterson*  
 ROSANNA MALOUF PETERSON  
 Senior United States District Judge